IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Bail Appl..No. 1871 of 2007(S)

CMP.780/2007 of D.C. & SESSIONS COURT,KOLLAM

Crime No.74/2007 of Paravoor Police Station

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: PETITIONER/ACCUSED

S.BINUKUMAR, AGED 28 YEARS,
S/O SREEDHARAN, KALLUVILA KIZHAKKATHU VEEDU,
POLACHIRA, PARAVOOR, KOLLAM.

BY ADV. SRI.V.VENUGOPALAN NAIR

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
PARAVOOR POLICE STATION.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1871 OF 2007

Dated this the 28th day of March, 2007

O R D E R

Petitioner, who at present is the sole accused in Crime No.74/2007 of Paravoor Police Station for an offence punishable under section 498A IPC, seeks anticipatory bail.

2. The petitioner was a driver in the house of the defacto complainant. An intimacy between them had developed which eventually led to their elopement. They got married on 13.2.2006. But soon after the marriage, the petitioner began to mentally and physically torture the defacto complainant demanding dowry. The defacto complainant had left the company of the petitioner and was residing in her parental home. On 8.8.2006 while she was travelling in an autorikshaw along with her aunt, the petitioner is alleged to have reached there in a Qualis car along with accused Nos.5 and 6 and attempted to abduct and kill her by giving poison.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate concerned.

Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 2.4.2007 and 4.4.2007 for the purpose of interrogation. The petitioner shall, thereafter, be produced on the same day before the concerned Magistrate, who shall release the petitioner on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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